

REMARKS

Independent Claims 1 and 17 are revised to define patentable subject matter over the currently-applied prior art, with the substance of Claims 21 and 22 now being incorporated into Claim 17. Claim 23 is rewritten in independent form, and several dependant claims are revised for consistent terminology with their parents. Claims 8-16 are cancelled without prejudice. Claims 1-7, 17-20, 23, and 24 remain, with no claim previously allowed.

Claims 1-13 and 15-20 were rejected as anticipated by newly-cited *Sinclair* (6,554,707). Because Claim 1 is currently amended to include the substance of former Claims 21 and 22, which were rejected as unpatentable over *Sinclair* in view of *Microsoft Sidewinder Game Voice* (hereinafter “*Sidewinder*”), the applicants here traverse that rejection as possibly applied to amended Claim 1.

Claim 1 now defines an embodiment of a method of providing gaming comprising, among other elements, providing verbal information of current game status to a first and a second game player through voiced calls on a communication network, and bridging the voiced call with the first game player with the voiced call with the second game player so that the first game player can hear the second game player but the second game player cannot hear the first game player. A method including that element, which in effect allows the first game player to eavesdrop on the second game player, but not vice versa, is not shown or suggested by the applied art.

The rejection addresses the elements of Claim 21 (bridging the voiced call with the first and second game players) and Claim 22 (the first game player can hear the second game player but the second game player cannot hear the first game player) by asserting (a) *Sinclair* teaches bridging the voiced call with the game player to the second voiced call with the second game player, and (b) *Sinclair* also teaches bridging the voiced call such that the game player can hear the second game player but the second game player can not hear the first game player. The applicants respectfully traverse that interpretation of *Sinclair*.

Sinclair (column 4, lines 54-60) states that a mobile user is connected, through a wireless network 306, to a server 310 that includes the wireless game service 510 (Fig. 5). The game server provides a virtual space 312 that provides the mobile user with a “perceptual awareness of other mobile station users 104, as in a telephone voice call” (column 4, lines 56-58). Column 5,

lines 59-67 describe the nature of that interaction between various participants inhabiting the virtual space 310. Namely, the user 100 communicates via a virtual representation (a “player”) in the multi-player interactive game. The players and game agents can assimilate and act upon an analysis of data inputs from the players (column 5, line 67-column 6, line 5). Those player inputs are entered by scroll and input keys on the keypad 400 or by voice commands (column 7, lines 3-9). *Sinclair* describes, in great detail, a game-playing environment including virtual voice-based characters (column 15, lines 45-59) and again points out that a player may interact with those virtual characters either through voice inputs to an interactive voice response unit or by keyboard inputs. However, nowhere does *Sinclair* state that the actual, i.e., human, players may talk (or listen to) other game players over a voice bridge between the voiced calls of the game players. *Sinclair* simply lacks any such teaching; his voice communications are between the real players and the virtual voice-based characters in the game setting, or with providing call connection and establishment with the game itself (column 15, lines 57-59).

Sidewinder also fails to teach or suggest a game role-playing environment in which a first game player can hear the second game player, but not vice versa. *Sidewinder* does mention using channels (page 3 of *Sidewinder*) where gamers can share strategy privately with teammates on one channel and talk to members of opposing teams on other channels). However, nothing in *Sidewinder* teaches or suggests a call-bridging arrangement in which a first game player can hear the second game player but the second game player cannot hear the first game player, as in amended Claim 1. That teaching comes only from the present applicants, not from any teaching of *Sinclair* combined with *Sidewinder*. Accordingly, one of ordinary skill in the art would not have found it obvious to provide a method as in Claim 1, at the time of making the present invention.

Defendant Claims 2-7 are considered patentable over *Sinclair* in view of *Sidewinder* for the reasons discussed above with respect to amended parent Claim 1.

Claim 17 is currently amended to include the substance of Claims 21 and 22. Accordingly, amended Claim 17 now recites an embodiment of a gaming system comprising, among other elements, a voice services node that bridges a voiced call with a game player to a second voiced call with a second game player. That voice services node bridges the voiced call with the two game players such that the game player can hear the second game player but the second game player cannot hear the first game player. Amended Claim 17 thus includes those

elements, as discussed above regarding Claim 1, that are neither taught nor suggested by the combination of *Sinclair* and *Sidewinder*. Accordingly, a system comprising the elements of amended Claim 17 would not have been obvious to one of ordinary skill in view of that art, and dependent claims 18-20 likewise are patentable over that art.

Claim 23 is rewritten in independent form to contain the limitations of its former parent Claim 17. Claim 23 thus recites an embodiment of a gaming system comprising, in combination with other elements, a voice services node that receives verbal information from a first game player and from a second game player, that distinguishes the voice of the second game player from the voice of the first game player, provides the second instruction data contained in the verbal instruction of the second game player, and applies that second instruction data to further update the game status.

The rejection of Claim 23 asserts that *Sinclair* distinguishes the voice of the second game player from the voice of the first game player. However, *Sinclair* fails to support that asserted teaching. That reference neither discloses nor suggests any structure or procedure that would distinguish the voices of first and second game players. Indeed, that reference appears silent on how the gaming system distinguishes between the inputs—either voice or keyboard—from the several mobile stations interacting with the game.

Sinclair does discuss profiling of mobile station activity to customize the service content (Column 13, Line 45-Column 15, Line 14) and also discusses kinds of memory (Column 18, Lines 14-30) contained in each mobile station. The applicants respectfully submit that one of ordinary skill would thus understand, from *Sinclair*, that the unique identifiers, such as the Manufacturer's Identification Number, associated with any such wireless communication device would provide the mechanism for distinguishing gaming inputs—wireless or keypad—to the gaming system described by *Sinclair*. Thus understood, *Sinclair*'s teachings do not include anything that “distinguishes the voice of the second game player from the voice of the first game player” as required in the system of Claim 23. Accordingly, Claim 23 and dependent Claim 24 are patentable over the art applied to those claims.

The foregoing is submitted as a complete response to the office action identified above. The applicants respectfully submit that the present application is in condition or allowance and solicit a notice to that effect.

Respectfully submitted,

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